

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Tuesday, September 19, 2006

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico, Bieda, and Virgil Smith.

MEMBER ABSENT/EXCUSED: Representative Nofs

Representative David Law moved to adopt the minutes of the **September 13, 2006** meeting. The motion was supported by **Representative McConico**. There being no objection, the motion prevailed by unanimous consent.

Chairman Van Regenmorter laid **HB 6430** and **HB 6431** before the committee:

HB 6430 David Law Crimes; criminal sexual conduct; access to social websites by certain sex offenders; prohibit.

HB 6431 Farhat Criminal procedure; sentencing guidelines; crime of accessing social networking websites by certain sex offenders; add to guidelines.

TESTIMONY

The following submitted testimony cards in **support of HB 6430 and HB 6431** but did not wish to speak.

David Newman, representing the Michigan Department of Corrections
Sgt. Matt Bolger, representing the Michigan State Police

The following submitted testimony cards in **opposition to HB 6430 and HB 6431** but did not wish to speak.

Shelli Weisberg, representing the American Civil Liberties Union (ACLU)
Susie (No Last Name Given), representing her son
Barb (No Last Name Given), representing her family
Evelyn (No Last Name Given), representing the Coalition for a Useful Registry

Chester (No Last Name Given), representing the Coalition for a Useful Registry

Karre (No Last Name Given), representing her husband

Lisa L. (No Last Name Given), representing herself and her son

John L. (No Last Name Given), representing himself and his son

Susan (No Last Name Given), representing the Coalition for a Useful Registry

Barb (No Last Name Given), representing her son

Tim (No Last Name Given), representing himself

Zachary (No Last Name Given), representing the Coalition for a Useful Registry

Jason (No Last Name Given), representing himself, testified in **opposition to HB 6430**.

Rob Kokx, representing himself, testified in **opposition to HB 6430**.

Gloria Lowe, representing herself, testified in **opposition to HB 6430**. Ms. Lowe also submitted written testimony.*

George Kleinert, representing himself, testified in **opposition to HB 6430**.

Grace (No Last Name Given), representing the Coalition for a Useful Registry, testified in **opposition to HB 6430**.

Chairmen Van Regenmorter placed the committee at ease at 11:20 a.m.

Chairmen Van Regenmorter called the meeting back to order at 11:25 a.m.

Representative Condino moved to adopt the substitute **(H-2)** to **HB 6430**. The motion was supported by **Representative Schuitmaker**.

The motion prevailed by a vote of **12-0-1**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, Rocca, Lipsey, Condino, Adamini, McConico and Bieda,

Nays: None,

Pass: Representative David Law.

Representative Condino moved to adopt the following amendment to **HB 6430 (H-2)**. The motion was supported by **Representative Bieda**.

1. Amend page 1, line 7, after the second **“PERSON”** by inserting **“WHOM HE OR SHE KNOWS OR HAS REASON TO BELIEVE IS”**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda,

Nays: None,

Pass: None.

Representative Jones moved to report **HB 6430** with recommendation, as substitute **(H-3)**. The motion was supported by **Representative Stakoe**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda,
Nays: None,
Pass: None.

HB 6430 reported out as substitute (H-3) with recommendation.

Representative Rocca moved to adopt the substitute **(H-1)** to **HB 6431**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda,
Nays: None,
Pass: None.

Representative Jones moved to adopt the following amendment to **HB 6431 (H-1)**. The motion was supported by **Representative Schuitmaker**.

1. Amend page 3, following line 4, by inserting "Enacting section 1. This amendatory act takes effect 90 days after it is enacted into law." and renumbering the remaining enacting section.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda,
Nays: None,
Pass: None.

Representative Jones moved to report **HB 6431** with recommendation, as substitute **(H-2)**. The motion was supported by **Representative Elsenheimer**.

The motion prevailed by a vote of **13-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda,
Nays: None,
Pass: None.

HB 6431 reported out as substitute (H-2) with recommendation.

Representative David Law moved to excuse absent members from the committee. The motion was supported by **Representative Rocca**. There being no objection, the motion prevailed by unanimous consent.

The Chair adjourned the meeting at 11:30 a.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary

David C Mead
Acting Committee Clerk
517-373-2013
1 Hour